

**REMARKS**

Claims 1-4, 6-11, and 13-16 are pending in this application. By this Amendment, claims 1, 6-7, 9-10, 13, and 15 are amended. No new matter is added.

Entry of the amendments is proper under 37 C.F.R. §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office action; and (d) place the application in better form for appeal, should an appeal be necessary.

Claim 15 is rejected under 35 U.S.C. §112, first paragraph. The amendment to claim 15 overcomes the §112 rejection. Thus, withdraw of the §112 rejection is respectfully requested.

Claims 1, 3, 4, 6-11, and 13-16 are rejected under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

Claims 1, 6-7, 9-10, and 13 are amended to clarify and make explicit that which was implicit in the claim language prior to amendment. Thus, the claims are not narrowed by such amendments. The amended claim language clarifies that, for example, an "executive element" is the individual task, i.e., activity, of plural tasks, i.e., activities, that are include in a project and a candidate executive element is an activity, i.e., task, to accomplish the classified executive element, i.e., the individually defined activity of a project, the candidate executive element being selected from the executive element management means based on the classification of the executive element (Fig. 2).

For example, as shown in Fig. 12, a set of human and physical resources is organized for a customer to whom a "magazine publishing" service is provided. An operation name "magazine publishing" is inputted, but there is no matching subject name for input

processing, the subject name for output processing is “magazine,” and the activity database stores the activities as shown in Fig. 12, which is a simplified illustration of activity data shown in Fig. 2. When the user inputs a request to search for human and physical resources for this “magazine publishing” service, the control unit processes this input to actuate the modeling processor, and starts processing with the “magazine publishing” as the goal (lines 8-20, page 22). The modeling processor, with the designated operation name “magazine publishing” as the key, gives an instruction to the searching processor to search the activity database of the database unit for activities having this “magazine publishing” as its operation name (lines 21-24, page 22). Then, for “magazine publishing” an activity having no identifier (i.e., for which neither a human nor a physical resource is set) (an abstract activity), as illustrated in Fig. 12-P, is found by the search (lines 25-27, page 22).

Upon receiving the input of this activity, the modeling processor references the subtasks of this activity, detects that the subtasks are “planning,” “editing,” and “issuance,” selects as a subtask the “planning” for instance, and recursively executes the processing shown in Fig. 6 with this subtask “planning” as a new goal (lines 1-5, page 23). Thus, the modeling processor starts new processing to cause the searching processor search for an activity having the operation name “planning,” which is designated as the goal (lines 6-8, page 23). Then, the searching processor finds in the activity database plural activities having “planning” as their operation names and matching the request for searching, and judges with respect to each activity whether or not it is a real activity having a pertinent human or physical resource (whether or not an identifier is set) (lines 9-12, page 23). Any one found to be a real activity is stored into RAM as a candidate activity to be responsible for “planning” to end this recursive processing (lines 12-13, page 23). The modeling processor further processes the operation names “editing” and “issuance” in the same way.

In this way, on the basis of the initial designated goal (final goal) "magazine publishing," candidates of activities to process various task are found by successive searching and stored into RAM (page 23, line 27 to line 1, page 24). Then the modeling processor starts presentation processing and, since there is no input to "magazine publishing" but has "magazine" as its output, the RAM is searched for an activity whose output is this "magazine" (lines 1-4, page 24). If the activity matching the request for searching here has, for instance, an operation name "printing," an input operation subject name "phototype-set document" and an output operation subject name "magazine," then the activity that can precede this activity is an activity of which the output operation subject name is "phototype-set document," and accordingly the RAM is searched for an activity having "phototype-set document" as its output (lines 4-9, page 24). As shown in Fig. 13, a work process for the project "magazine publishing" is generated. The user selects a preferable one out of the activity candidates displayed on the display unit (lines 16-17, page 24).

Regarding the use of the term "means for," there is no requirement that the specification explicitly utilize the term "means" to identify specific structural elements. As the MPEP §2181 III. states, if the corresponding structure, material or acts are described in the specification in specific terms and one skilled in the art could identify the structure, material or acts from that description, then the requirements of 35 U.S.C. §112, second paragraph are satisfied. See *Amtel*, 198 F.3d 1382, 53 USPQ2d 1231. The corresponding structure to the term "means for" is described in the specification. As discussed above, for example, the corresponding structure for the element management means for classifying executive elements into processible tasks and managing the classified executive elements is clearly supported in the specification. Similarly, as discussed above, the managing of the executive elements is, for example, describe in the operation of the element organization support apparatus (Figs, 12-13). As discussed above, the managing of the classified

executive elements is not a passive process, but is an active process and the scope is clearly defined in the specification and drawings.

Therefore, it is respectfully submitted that claims 1, 3, 4, 6-11, and 13-16 are definite and fully comply with 35 U.S.C. §112. Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

Claims 1, 3, 4, 6-11, 13, 14, and 16 are rejected under 35 U.S.C. §102(e) over Stuart, U.S. Patent No. 6,466,935. The rejection is respectfully traversed.

Stuart fails to disclose the features of executive element management means for classifying executive elements into processible tasks and managing the classified executive elements; and selecting means for selecting a candidate executive element from the executive element management means that can process each of the tasks of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 1 and, similarly recited in claim 6.

Stuart also fails to classifying plural executive elements for executing tasks constituting in advance various services into processible tasks and managing the classified executive elements, each of the executive elements including at least one of human and physical elements; receiving a request for organizing, for the accomplishment of a specific service asked by a customer, executive elements for processing the specific service; analyzing, by a processor, as instructed by the customer, tasks required for the specific service; and selecting by a processor from the executive elements classified and managed, on the basis of the result of the analysis, an executive element for executing each of the tasks of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 7.

In addition, Stuart fails to disclose classifying by the processor the executive elements into processible tasks in advance and managing the classified executive elements; and

searching by the processor the executive elements classified and managed for an executive element to execute each task and selecting the executive element from the executive elements classified and managed that can process each of the tasks of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 9.

Stuart also fails to disclose a first module for classifying the executive elements into processible tasks in advance and managing the classified executive elements; and a second module for searching the executive elements classified and managed for an executive element to execute each task required for a given service and selecting the executive element from the executive elements classified and managed that can process each of the tasks of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 10.

Stuart further fails to disclose a database server for classifying data pieces regarding plural executive elements for executing individual tasks constituting various services into processible tasks, and managing the executive elements, the data pieces regarding executive elements including at least one of human and physical elements; a reception server for receiving a request for preparation of organization of executive elements for processing a specific service asked by a customer; and an analysis server for analyzing tasks required for the specific service as instructed by the customer, and selecting from the database server, on the basis of the result of the analysis, a data piece regarding an executive element for executing each of the tasks of a project that includes plural tasks, the selecting being based on the classification, as recited in claim 13.

The Office Actions asserts that Stuart's executive elements, i.e., print jobs that are classified into processible tasks and managed (Fig. 6; col. 6, lines 1-6), correspond to Applicants' executive elements, and that Stuart's candidate executive element, i.e., a device that can handle each required task (col. 6, lines 3-5, which states that specific devices can be called upon for a given print job), corresponds to Applicants' candidate executive element.

However, Stuart's workflow management system, as admitted by the Office Action, is based on an activity and the selection of a device to carry out that activity. In other words, Stuart matches an activity, i.e., printing job, to a device, i.e., printer, to print the print job. The selection of a device (a printer) is not a selection of a task. A task is an activity that needs to be performed. All Stuart does is select a device, the printer, to carry out the activity, the printing of a document. Thus, Stuart fails to disclose the features as recited in claims 1, 6, 7, 9, 10, and 13.

As discussed above, Applicants' executive elements are activities that are classified into (define) the individual tasks of a project. Thus, the candidate executive element is also an activity, i.e., a candidate activity. The candidate executive element is the activity selected from the classified executive elements to carry out or process the individual activity of the project. In other words, Applicants element organization support apparatus selects an action based on the classification of individual actions that define the individual tasks of a project.

The Office Action improperly defines the "executive elements" and the "candidate executive elements" of Stuart inconsistently, both internally and with respect to the language of the claims. The Office Action identifies print jobs as executive elements, but ignores this to identify devices as candidate executive elements rather than candidate print jobs, which would be internally consistent. Further, the language of the claims makes clear, as discussed above, that executive elements are activities, not devices. Thus, the Office Action improperly ignores the meaning of each claim as a whole to redefine terms to read on the teachings of Stuart.

As Applicants describe at page 5, lines 10-15, since candidate executive elements are selected with processible tasks as keys irrespective of the context, there is no need to cause input/output relationships among executive elements ensuing from addition, deletion or modification of executive elements in any database to be reflected in other databases even

though executive elements are managed in a decentralized way and plural databases, resulting in efficient decentralized management (Fig. 2). Stuart fails to perform this function because Stuart is based on an input/output relationship of the various tasks in relation to the devices required to perform the tasks, such as a printing project. Therefore, Stuart fails to disclose the features as recited in claims 1, 6, 7, 9, 10, and 13.

As Applicants' describe, an advantage is that this way of managing executive elements classified into possible tasks and selecting candidate executive elements with processible tasks as keys makes it possible, when any new executive element is to be added, to select candidate executive elements for accomplishing a project irrespective of the contextual relationships of the tasks and to add the new executive element easily without having to accomplish processing to maintain the context (page 7, lines 10-15). Stuart fails to perform this function as recited in claims 1, 6, 7, 9, 10, and 13.

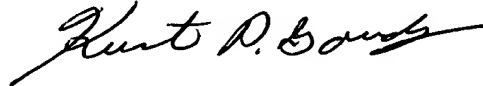
Because Stuart does not anticipate or suggest each and every feature of claims 1, 6, 7, 9, 10, and 13, Stuart cannot anticipate or suggest the subject matters of claims 2-4, and 14-16, which depend from claim 1, the subject matter of claim 8, which depends from claim 7, and the subject matter of claim 11, which depends from claim 10, at least for the reasons discussed with respect to claims 1, 6, 7, and 10 and for the additional features recited therein. Thus, the pending claims are patentable over Stuart.

Rejoinder of claim 2 upon allowance of claim 1 is respectfully requested because claim 2 depends from claim 1 and claim 1 is generic to claim 2. Thus, claim 2 would be allowable for the same reasons that claim 1 is allowable.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-4, 6-11 and 13-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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